

## CLAIMS

1. (previously presented) An article of footwear comprising:

an upper including a lower portion;

a midsole extending along a length between a forward most portion and a rearward most portion, said midsole including opposing sidewalls that extend from said rearward most portion to said forward most portion and form a visible exterior of said midsole, said midsole including an upper surface and a bottom surface, said upper surface direct attached to said lower portion of said upper, said side walls terminating at said bottom surface said bottom surface being substantially flat between said side walls except for at least one midsole bottom surface trim line positioned inward a preselected distance from said side wall on said bottom surface, said bottom surface trim line coinciding with a former flashing location on the bottom surface, said midsole bottom surface trim line non-coincident with said side wall; and

an outsole joined with said bottom surface of said midsole and concealing said midsole bottom surface trim line.

2. (previously presented) The article of footwear of claim 1 wherein said outsole is substantially flat and covers the bottom surface of the midsole entirely from one opposing side wall to the other opposing side wall.

3. (original) The article of footwear of claim 1 wherein the midsole bottom surface includes a periphery corresponding to the shape of a wearer's foot.

4. (previously presented) The article of footwear of claim 3 wherein the outsole terminates with the midsole bottom surface so that the side wall is substantially uncovered by the outsole and wherein the outsole is visible with the side wall by a viewer from a side view of the footwear.

5. (original) The article of footwear of claim 1 wherein the upper includes an insole, said insole joined with the lower portion of the upper to close the upper.

6. (original) The article of footwear of claim 1 wherein the lower portion includes a peripheral edge bent inward toward the center of the shoe.

7. (currently amended) An article of footwear comprising:

an upper including a lower portion;

a midsole~~[, formed with a mold in a molding operation,]~~ extending along a length between a forward most portion and a rearward most portion, said midsole including opposing sidewalls that extend from said rearward most portion to said forward most portion and form a visible exterior of said midsole, said midsole including an upper surface and a bottom surface, said upper surface direct attached to said lower portion of said upper, said bottom surface including at least one midsole bottom surface trim line positioned inward a preselected distance from said side wall on said bottom surface, said midsole bottom surface trim line non-coincident with said side wall; and

an outsole joined with said bottom surface of said midsole and concealing said midsole bottom surface trim line,

wherein the midsole includes a side wall trim line in substantially only at least one of the forward most portion and the rearward most portion of the midsole.

8. (original) The article of footwear of claim 7 wherein the side wall trim line is substantially only vertical.

9. (previously presented) The article of footwear of claim 1 wherein the midsole is visible by a viewer between the outsole and the upper from a side view of the footwear.

10. (previously presented) A footwear construction comprising:

an upper;

a midsole including a lateral side wall, a medial side wall, an upper surface direct attached to said upper, and a bottom surface, said bottom surface bounded along a medial edge by said medial side wall and a lateral edge by said lateral side wall, said medial side wall and said lateral side wall extending only upwardly from said bottom surface to said upper, said midsole including a bottom surface trim line positioned inward from said lateral side wall and said medial side wall, said bottom surface trim line coincident with a mold flashing location on the bottom surface; and

an outsole joined with said midsole bottom surface that conceals substantially all of said bottom surface trim line.

11. (previously presented) The footwear construction of claim 10 wherein said outsole is substantially flat and extends across the width of the entire midsole.

12. (original) The footwear construction of claim 10 wherein said midsole bottom surface trim line corresponds to the shape of a wearer's foot.

13. (currently amended) A footwear construction comprising:

an upper;

a midsole~~[formed with a mold in a molding operation]~~ including a lateral side wall, a medial side wall, an upper surface direct attached to said upper, and a bottom surface, said bottom surface bounded along a medial edge by said medial side wall and a lateral edge by said lateral side wall, said medial side wall and said lateral side wall extending upwardly from said bottom surface to said upper, said midsole including a bottom surface trim line positioned inward from said lateral side wall and said medial side wall; and

an outsole joined with said midsole bottom surface that conceals substantially all of said bottom surface trim line,

wherein said lateral side wall and medial side wall terminate in at least one of a forward portion and a rearward portion of the midsole, and

wherein a side wall trim line is positioned in substantially only at least one of said forward portion and rearward portion.

14. (original) The footwear construction of claim 10 wherein the upper includes a lower portion and an insole is secured to the lower portion, wherein the midsole is direct attached to the insole.

15. (currently amended) A footwear construction comprising:

an upper;

Applicants : Charles C. Willis et al

Appl. No. : 10/706,233

Page No. : 6

---

a midsole~~[, formed with a mold in a molding operation,~~] including a lateral side wall, a medial side wall, an upper surface direct attached to said upper, and a bottom surface, said bottom surface bounded along a medial edge by said medial side wall and a lateral edge by said lateral side wall, said medial side wall and said lateral side wall extending upwardly from said bottom surface to said upper, said midsole including a bottom surface trim line positioned inward from said lateral side wall and said medial side wall; and

an outsole joined with said midsole bottom surface that conceals substantially all of said bottom surface trim line, wherein said midsole includes a first vertical side wall trim line at a forward most portion of the midsole and a second vertical side wall trim line at a rearward most portion of the midsole.

16.-20. (cancelled)